

ARBITRATION

Convention signed at Washington January 13, 1909
Senate advice and consent to ratification January 20, 1909
Ratified by the President of the United States March 1, 1909
Ratified by Costa Rica June 28, 1909
Ratifications exchanged at Washington July 20, 1909
Entered into force July 20, 1909
Proclaimed by the President of the United States July 21, 1909
*Extended by agreement of March 16, 1914*¹
Expired July 20, 1919

36 Stat. 2175; Treaty Series 530

The Government of the United States of America, signatory of The Hague Convention for the Pacific Settlement of International Disputes, concluded at The Hague on July 29, 1899,² and the Government of the Republic of Costa Rica, being desirous of referring to arbitration all questions which they shall consider possible to submit to such treatment;

Taking into consideration that by Article XXVI of the said Convention the jurisdiction of the Permanent Court of Arbitration established at The Hague by that Convention may, within the conditions laid down in the regulations, be extended to disputes between signatory powers and non-signatory powers, if the Parties are agreed on recourse to that Tribunal;

Have authorized the undersigned to conclude the following Convention:

ARTICLE I

Differences which may arise of a legal nature, or relating to the interpretation of treaties existing between the two Contracting Parties, and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the Convention of the 29th July, 1899, for the pacific settlement of international disputes, provided, nevertheless, that they do not affect the vital interests, the independence, or the honor of the two Contracting States, and do not concern the interests of third Parties.

¹ TS 604, *post*, p. 1032.

² TS 392, *ante*, vol. 1, p. 230.

ARTICLE II

In each individual case the High Contracting Parties, before appealing to the Permanent Court of Arbitration, shall conclude a special Agreement, defining clearly the matter in dispute, the scope of the powers of the arbitrators, and the periods to be fixed for the formation of the Arbitral Tribunal and the several stages of the procedure. It is understood that on the part of the United States such special agreements will be made by the President of the United States, by and with the advice and consent of the Senate thereof, and on the part of Costa Rica shall be subject to the procedure required by the Constitution and laws thereof.

ARTICLE III

The present Convention is concluded for a period of five years, and shall remain in force thereafter until one year's notice of termination shall be given by either party.

ARTICLE IV

The present Convention shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof; and by the President of Costa Rica in accordance with the Constitution and laws thereof. The ratifications shall be exchanged at Washington as soon as possible, and the Convention shall take effect on the date of the exchange of its ratifications.

Done in duplicate in the English and Spanish languages at Washington, this 13th day of January, in the year one thousand nine hundred and nine.

ELIHU ROOT	[SEAL]
J. B. CALVO	[SEAL]